



## 2024 South Dakota Legislature

# Senate Bill 198

Introduced by: **Senator Wiik**

1 **An Act to authorize school districts and nonpublic schools to acquire and administer**  
2 **nasal glucagon.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That a NEW SECTION be added to chapter 13-33A:**

5 A licensed health care professional may prescribe nasal glucagon in the name of a  
6 school district or nonpublic school for use as provided in this Act.

7 A licensed health care professional may then dispense or distribute nasal glucagon  
8 to an employee of the school district or nonpublic school for use as provided in this Act.

9 **Section 2. That a NEW SECTION be added to chapter 13-33A:**

10 A school district or nonpublic school may acquire and maintain nasal glucagon  
11 pursuant to a prescription issued by a licensed health care provider for use on a student  
12 experiencing severe hypoglycemia.

13 Any nasal glucagon acquired in accordance with this Act must be:

14 (1) Stored in a secure location, accessible by the school nurse or another employee of  
15 the school district or nonpublic school authorized in accordance with section 4 of  
16 this Act; and

17 (2) Maintained in accordance with the manufacturer's instructions.

18 **Section 3. That a NEW SECTION be added to chapter 13-33A:**

19 A school nurse, or another employee of the school district or nonpublic school  
20 authorized in accordance with section 4 of this Act, may administer nasal glucagon  
21 acquired in accordance with this Act to a student experiencing severe hypoglycemia if:

22 (1) The student's parent or guardian has provided documentation to the school that  
23 the student attends, from the student's physician, that the student is diagnosed  
24 with diabetes;

- 1        (2) The student's parent or guardian has consented to the administration of nasal  
2        glucagon by the school nurse or another employee of the school authorized in  
3        accordance with section 4 of this Act; and  
4        (3) The student's prescribed glucagon is not available onsite or has expired.

5        **Section 4. That a NEW SECTION be added to chapter 13-33A:**

6                The board of a school district or the governing board of a nonpublic school may  
7        authorize an employee to administer nasal glucagon to a student if the employee  
8        completes training, provided by a licensed health care provider, that addresses:

- 9        (1) Recognizing the symptoms of severe hypoglycemia;  
10       (2) The procedure for administering nasal glucagon;  
11       (3) Emergency care for an individual experiencing severe hypoglycemia, including care  
12       after administering nasal glucagon; and  
13       (4) The storage, maintenance, and disposal of nasal glucagon.

14               The school district or the nonpublic school must maintain documentation of each  
15       employee who completes the training and who is authorized to administer nasal glucagon  
16       in accordance with this Act.

17       **Section 5. That a NEW SECTION be added to chapter 13-33A:**

18               The following persons may not be held liable for any death, injury, or damage that  
19       results from the administration of, or the failure to administer, nasal glucagon if the action  
20       or inaction constitutes ordinary negligence:

- 21       (1) A school district or nonpublic school, and any of its employees, agents, or other  
22       personnel;  
23       (2) A licensed health care provider who prescribes nasal glucagon in the name of a  
24       school district or nonpublic school;  
25       (3) A licensed health care provider who dispenses or distributes nasal glucagon to an  
26       employee of a school district or nonpublic school; and  
27       (4) A licensed health care provider who provides training on nasal glucagon to an  
28       employee of a school district or nonpublic school.